

11091. Misbranding of Anti-Skipper Compound. U. S. v. 7 Cases, etc. (and 1 other seizure action). (F. D. C. Nos. 19703, 19777. Sample Nos. 1263-H, 3704-H.)

LIBELS FILED: April 22 and 25, 1946, Middle District of Georgia and Eastern District of Virginia.

ALLEGED SHIPMENT: On or about February 18, 1946, by the Chambers-Godfrey Mfg. Co., from Martin, Tenn.

PRODUCT: Anti-Skipper Compound. 7 dozen 15-ounce packages and 16 dozen 7-ounce packages at Emporia, Va., and 3 dozen 15-ounce packages and 16 dozen 7-ounce packages at Macon, Ga. The product contained about 90 percent of borax.

LABEL, IN PART: "Chambers Anti-Skipper Compound Will Prevent Skippers on Cured Meats if Used as Directed on the side of this Package."

NATURE OF CHARGE: Adulteration, Section 402 (a) (1), the product contained an added poisonous and deleterious substance, borax, which may have rendered the product injurious to health.

Misbranding, Section 403 (a), the label statements "Will Prevent Skippers on Cured Meats if Used as Directed on the side of this Package * * * Guaranteed to be Absolutely Harmless" were misleading since they implied that the article may safely be used, whereas such use would be potentially dangerous to the health of the consumer.

DISPOSITION: May 18 and June 17, 1946. No claimant having appeared, judgments of forfeiture were entered and the product was ordered destroyed.

VITAMIN PREPARATIONS AND FOODS FOR SPECIAL DIETARY USES

11092. Adulteration and misbranding of A-B-D-G Capsules. U. S. v. 12 Dozen Bottles * * *. (F. D. C. No. 18344. Sample No. 22388-H.)

LIBEL FILED: November 9, 1945, Southern District of Illinois.

ALLEGED SHIPMENT: On or about January 26, 1945, by the J. R. Watkins Co., from Winona, Minn.

PRODUCT: 12 dozen bottles of A-B-D-G Capsules at Bloomington, Ill.

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, vitamins A and D, had been in whole or in part omitted from the article.

Misbranding, Section 403 (a), the label statements, "Each capsule contains 10,000 U. S. P. units Vitamin A, 1,000 U. S. P. units Vitamin B," and "ABDG Capsules contain approximately 2½ times the minimum daily requirements of Vitamin A and Vitamin D. A capsule equals in Vitamins A and D value at least 3 teaspoonfuls of cod liver oil," were false and misleading as applied to the article, which contained less than the stated amounts of vitamins A and D and which did not provide the stated proportions of the minimum daily requirements for such vitamins; and, Section 403 (j), the article purported to be and was represented as a food for special dietary uses by reason of its vitamin A, D, B₁ and B₂ content, and its label failed to bear, as required by the regulations, a statement of the proportion of the minimum daily requirements of vitamins B₁ and B₂ furnished by a specified quantity of the product when consumed during a period of 1 day.

DISPOSITION: December 4, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11093. Adulteration and misbranding of Nova-Tron Capsules. U. S. v. 48 Bottles * * *. (F. D. C. No. 19260. Sample No. 31389-H.)

LIBEL FILED: March 11, 1946, District of Arizona.

ALLEGED SHIPMENT: On or about December 17, 1945, by Boyle and Co., from Los Angeles, Calif.

PRODUCT: 48 90-capsule bottles of Nova-Tron at Phoenix, Ariz.

LABEL, IN PART: "Nova-Tron Boyle Pan-Vitamic Formula."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin D, had been in part omitted from the article.

Misbranding, Section 403 (a), the label statements "Vitamin D 1000 U.S.P. Units * * * Each capsule supplies the following equivalent of minimum adult daily requirements * * * Vitamin D 2½ Times" were misleading

since the product contained less than the declared amount of vitamin D and would not provide the stated proportion of the minimum daily requirement for vitamin D.

DISPOSITION: December 9, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11094. Misbranding of Ademo Tablets. U. S. v. 36 Bottles * * * and a number of circulars. (F. D. C. No. 19734. Sample Nos. 19552-H, 19553-H.)

LABEL FILED: May 1, 1946, Northern District of Iowa.

ALLEGED SHIPMENT: On or about April 30 and August 20, 1945, and February 6, 1946, by H. W. Walker and Co., from Chicago, Ill.

PRODUCT: 10 300-tablet bottles, 14 150-tablet bottles, and 12 42-tablet bottles of Ademo Tablets at Cedar Rapids, Iowa, together with 51 circulars entitled "Powerful Rugged Red Blood."

LABEL, IN PART: "Ademo 3 Purpose Dietary Food Supplement."

NATURE OF CHARGE: Misbranding, Section 403 (a), certain statements in the circulars were false and misleading.

The article was alleged also to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 1985, which quotes portions of the labels indicating the composition of the products and states the nature of the false and misleading statements contained in the circulars.

DISPOSITION: June 5, 1946. No claimant having appeared, judgment of condemnation was entered and the product and circulars were ordered destroyed.

11095. Misbranding of Slims. U. S. v. 48 Boxes * * * and a number of circulars. (F. D. C. No. 19249. Sample No. 5504-H.)

LABEL FILED: February 26, 1946, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about December 11, 1945, by the Columbia Pharmaceutical Co., from Camden, N. J.

PRODUCT: 10 boxes, each containing 1 24-tablet bottle, 24 boxes, each containing 1 72-tablet bottle and 14 boxes, each containing 1 144-tablet bottle, of Slims at Philadelphia, Pa. A number of circulars entitled "A Slims Way of Life" were enclosed in the boxes. Examination showed that the product contained vitamin B₁, riboflavin, and calcium.

LABEL, IN PART: "Slims A Vitamin Supplement To The Everyday Diet."

NATURE OF CHARGE: Misbranding, Section 403 (a), the vignette of a slim female figure on the bottle and box label, the statement "Vitalize * * * Feel Better" on the box label, and certain statements in the accompanying circular were false and misleading since they represented and suggested that the product would be effective to reduce body weight, to increase vitality, and to improve health, whereas it would not be effective for such purposes; Section 403 (f), the information concerning the vitamin properties of the article was not prominently placed on the label with such conspicuousness as to render it likely to be read by the ordinary individual under customary conditions of purchase and use, since the information appeared at right angles to the main display panel of the bottle and carton label; Section 403 (i) (2), the label of the article failed to bear the common or usual name of each ingredient; and, Section 403 (j), the article purported to be and was represented as a food for special dietary uses by reason of its vitamin B₁, B₂, and B₆, and calcium and niacin content, and its label failed to bear, as required by the regulations, a statement of the proportion of the minimum daily requirements of vitamins B₁ and B₂, and calcium, and the amount of vitamin B₆ and niacin furnished by a specific quantity of the product when consumed during a period of 1 day. The label failed also to bear the statement that the need for vitamin B₆ in human nutrition has not been established.

DISPOSITION: March 26, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11096. Adulteration of dietary confections. U. S. v. 284 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 19708, 20044. Sample Nos. 4917-H, 4918-H, 43762-H to 43764-H, incl., 43766-H, 43767-H.)

LIBELS FILED: April 24 and June 3, 1946, Eastern District of Pennsylvania and Southern District of California.